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	Filing Date	09/09/2003	
	First Named Inventor	James Dennis Hagan	
	Art Unit	3641	
	Examiner Name	Troy Chambers	
Total Number of Pages in This Submission	3	Attorney Docket Number	84566

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	NAVAL SURFACE WARFARE CENTER DAHLGREN DIVISION	
Signature		
Printed name	SCOTT R. BOALICK	
Date	April 15, 2005	Reg. No. 42,337

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : James Dennis Hagan
Serial No. : 10/658,581
Filed : September 9, 2003
Title : PRESSURE-RELEASED BRAKE ASSEMBLY FOR RESTRAINING
PROJECTILE IN LAUNCH TUBE

Art Unit : 3641
Examiner : Troy Chambers

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Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE


In response to the Notice of Allowance of January 18, 2005, Applicant submits the following comments on the statement of reasons for allowance.

The Examiner's statement of reasons for allowance stated that independent claims 1, 9 and 17 "require a *means for positioning* the pin" and that, "[i]n accordance with 35 U.S.C. 112(6), the *means for positioning* in claims 1, 9, and 17 are defined by claims 6, 14 and 21, respectively." It is true that claims 6, 14, and 21 depend from independent claims 1, 9, and 17 respectively. But it is improper to import limitations of dependent claims 6, 14, and 21 into independent claims 1, 9, and 17. Instead, the limitations of independent claims 1, 9, and 17 are to be interpreted under proper claim construction jurisprudence.

If the Examiner has any questions, he is invited to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,

Date: April 15, 2005



Scott R. Boalick
Reg. No. 42,337

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